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6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA  
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9 UNITED STATES OF AMERICA,

3:05-cv-00368-HDM-VPC  
3:02-cr-00177-HDM-VPC

10 Plaintiff,

11 vs.

**ORDER**

12 MARTIN CARDENAS-GOMEZ a/k/a  
13 MARTIN CARDENAS-RAMIREZ,

14 Defendant.  
15 \_\_\_\_\_/

16 On November 28, 2005, this court denied the defendant's 28  
17 U.S.C. § 2255 motion as time barred because it was not filed until  
18 well beyond the statutory one year limitation period set forth in  
19 28 U.S.C. § 2255. Therefore, the defendant's Motion for Judgment  
20 on the Pleadings (Doc. #4) is DENIED as moot.

21 It is so ORDERED.

22 Dated this 21st day of December, 2005.

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25 SENIOR U.S. DISTRICT JUDGE  
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